

UNITED STATES DISTRICT COURT
for the
EASTERN DISTRICT OF NORTH CAROLINA

U.S.A. vs. Kidarryl Phillips

Docket No. 5:21-CR-14-1D

Petition for Action on Probation

COMES NOW Kyle W. Fricke, U.S. Probation Officer of the court, presenting a petition for modification of the Judgment and Commitment Order of Kidarryl Phillips, who, upon an earlier plea of guilty to Maliciously Conveying False Information – Explosives, in violation of 18 U.S.C. § 844(e), was sentenced by the Honorable James C. Dever III, U.S. District Judge, on August 27, 2021, to 4 years probation under the conditions adopted by the court.

RESPECTFULLY PRESENTING PETITION FOR ACTION OF COURT FOR CAUSE AS FOLLOWS:

During a routine home visit on September 3, 2021, the defendant tested positive for marijuana via an instant urine screen. Phillips readily admitted to using this illegal substance, and he signed an admission of drug use form. The defendant was verbally reprimanded for this drug use, counseled about his actions, and cognitive behavioral skills were utilized. As a sanction for this violation, the probation office is recommending that the defendant obtain a substance abuse assessment and comply with any course of recommended treatment. The defendant signed a Waiver of Hearing agreeing to the proposed modification of supervision.

PRAYING THAT THE COURT WILL ORDER that probation be modified as follows:

1. The defendant shall participate as directed in a program approved by the probation office for the treatment of narcotic addiction, drug dependency, or alcohol dependency which will include urinalysis testing or other drug detection measures and may require residence or participation in a residential treatment facility.

Except as herein modified, the judgment shall remain in full force and effect.

Reviewed and approved,

I declare under penalty of perjury that the foregoing is true and correct.

/s/ Dewayne L. Smith

Dewayne L. Smith
Supervising U.S. Probation Officer

/s/ Kyle W. Fricke

Kyle W. Fricke
U.S. Probation Officer
150 Reade Circle
Greenville, NC 27858-1137
Phone: 252-830-2336
Executed On: September 10, 2021

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ORDER OF THE COURT

Considered and ordered this 13 day of September, 2021, and ordered filed and made a part of the records in the above case.

J. Dever
James C. Dever III
U.S. District Judge